



West River Cooperative Telephone Co.

801 Coleman Ave. P. O. Box 39 Bison, SD 57620

April 10, 2012

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Correction to West River Cooperative Telephone Company's Erroneous Regression Analysis Data Inputs; *Connect America Fund*, WC Docket, No. 10-90, *A National Broadband Plan for Our Future*, GN Docket No. 09-51, *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135, *High-Cost Universal Service Support*, WC Docket No. 05-337, *Developing an Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Lifeline and Linkup*, WC Docket No. 03-109, *Universal Service Reform – Mobility Fund*, WT Docket No. 10-208

Dear Ms. Dortch:

West River Cooperative Telephone Company ("West River") respectfully submits this letter to request that the Commission correct erroneous data inputs assigned to West River by the Commission in the course of conducting regression analysis calculations. The underlying data inputs assigned to West River contained significant errors. These errors resulted in West River being improperly subjected to capital and operating expense caps under 47 C.F.R. § 54.302. The caps, as applied to West River, would result in significant, immediate and irreparable financial harm to the cooperative.

West River has provided several forms of notification to the Commission of the flawed data and the significant financial harm that would result to the company if the data were not corrected:

- West River participated in the February 17, 2012 reply comment filing of the South Dakota Telecommunications Association. In that filing, SDTA informed the Commission that due to geographical mapping data errors the Commission's input file reported 260.557 square miles as the land area served by West River Telephone. The actual size of West River Telephone's service area is 6,209 square miles. The housing units for West River as identified or listed by the FCC's data deviated significantly from the actual number. The Commission's input file contains 564 housing units while the actual number of housing units reported by West River is 3,526.¹

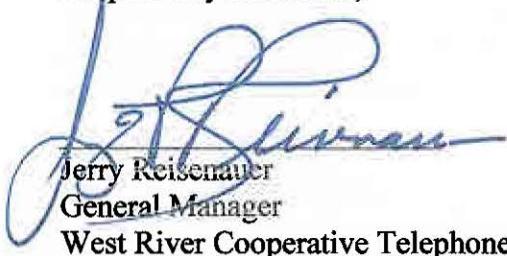
¹ See, Reply Comments of SDTA, *In the Matter of Connect America Fund*, WC Docket No. 10-90, *et. al.* Report and Order and Further Notice of Proposed Rulemaking FCC 11-161, (Rel. Nov. 18, 2011) at p. 23.

- On March 2, 2012, West River sent a letter (attached) to the Commission reiterating its concern that incorrect data was being relied upon for purposes of determining future high cost funding distributions. Further, West River requested information about the process the Commission had in place to allow affected companies the opportunity to correct the data inputs used in the regression analysis. No response has been received as of the date of this letter.
- On March 19, 2012, West River participated in a meeting (Ex Parte Notice attached) with Commission WCB staff. West River again expressed concern that given the magnitude of the errors in the input data, West River was most likely placed in an incorrect group of "similarly situated" peer companies. West River attempted to illustrate to the Commission how incorrect placement could lead to devastating financial impacts to the cooperative.
- In a later meeting on March 30, 2012, the Commission informed the National Telecommunications Cooperative Association that companies needing data corrections should meet with the Commission to get the erroneous information corrected.

Since West River has previously met with the Commission on March 19, 2012 and brought the underlying data errors to light, West River requests that the Commission correct West River's data inputs in accordance with the information attached to this letter, certifying the correct total land area and housing units and recalculate the support amounts with the amended information. Attached herein, West River provides considerable documentation certifying the total square miles and housing unit data the Commission should utilize.

With the July 1, 2012 implementation date nearing, West River has an immediate need to ascertain whether, and/or how, the cooperative will be impacted under the implementation of the regression analysis framework. West River plans to take further action to resolve the data errors if the corrections are not confirmed by April 30, 2012.

Respectfully submitted,



Jerry Reisenauer
General Manager
West River Cooperative Telephone Company

Attachment(s)

cc: Carol Matthey
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